

PATENTS  
Attorney Docket No. XEN/001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Dahiyat et al.  
Application No. : 10/082,671 Confirmation No. : 8367  
Filed : February 22, 2002  
For : USE OF NUCLEIC ACID LIBRARIES TO CREATE  
TOXICOLOGICAL PROFILES  
Group Art Unit : 1645  
Examiner : TBD

New York, New York 10020  
May 17, 2002

Hon. Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith are:

- (1) a Response to the March 27, 2002 *Notice to File Missing Parts of Nonprovisional Application*;
- (2) original copies of the Declaration and Power of Attorney executed by co-inventors Min Li and Bassil Dahiyat, respectively;
- (3) a set of substitute drawings in compliance with 37 C.F.R. § 1.84;
- (4) a sequence listing in compliance with 37 C.F.R. § 1.821-825, including both the hard copy and electronic copy of the sequence listing, and the requisite statement;

Express Mail No.  
EF230793065US

(5) a check in the amount of \$65 in payment of the late filing fee under 37

C.F.R. § 1.16(e);

(6) a Preliminary Amendment; and

(7) an Information Disclosure Statement, including a PTO-449 Form and copies of the references cited therein; and

The Director is authorized to charge any additional fees that may be due, or to credit overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,



Z. Ying Li (Reg. No. 42,800)

Agent for Applicants

FISH & NEAVE

Customer No. 1473

1251 Avenue of the Americas

New York, New York 10020-1104

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RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to the March 27, 2002 *Notice to File Missing Parts of Nonprovisional Application*, applicants hereby submit (1) an original copy of the executed Declaration and Power of Attorney of co-inventor Min Li; (2) an original copy of the executed Declaration and Power of Attorney of co-inventor Bassil Dahiyat; (3) a set of substitute drawings in compliance with 37 C.F.R. § 1.84; (4) a sequence listing in compliance with 37 C.F.R. § 1.821-825; and (5) a check in the amount of \$65 in payment of the late filing fee under 37 C.F.R. § 1.16(e).

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The Director is authorized to charge any additional fees that may be due, or to credit overpayment of same, to Deposit Account No. 06-1075.

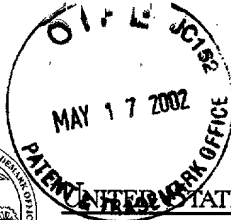
Respectfully submitted,



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Z. Ying Li (Reg. No. 42,800)  
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1251 Avenue of the Americas  
New York, New York 10020-1104  
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/082,671	02/22/2002	Bassil Dahiyat	XEN/001

CONFIRMATION NO. 8367

**RECEIVED**

FORMALITIES LETTER



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APR 02 2002

1473  
FISH & NEAVE  
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50TH FLOOR  
NEW YORK, NY 10020-1105

FISH & NEAVE - PATENT DEPT.  
REFERRED TO 296  
NOTED BY 296

Date Mailed: 03/27/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

RECEIVED FOR May 27, 2002

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes

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no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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05.21.02

MP  
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Title : USE OF NUCLEIC ACID LIBRARIES TO CREATE TOXICOLOGICAL PROFILES

Group Art Unit : 1645

Examiner : Not Yet Assigned

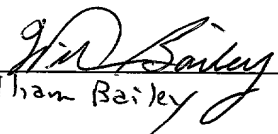
EXPRESS MAIL CERTIFICATION

"Express Mail" mailing label number EF230793065US.

Date of Deposit May 17, 2002.

I hereby certify that this transmittal letter and the other papers and fees identified in this transmittal letter as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to the Box Missing Parts, Hon. Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202. The documents included are:

1. Response to Notice to File Missing Parts of Nonprovisional Application;
2. original copies of Declaration and Power of Attorney;
3. substitute drawings;
4. sequence listing (both hard copy and in disk form);
5. Preliminary Amendment;
6. Information Disclosure Statement and PTO-1449; and
7. a check in the amount of \$65.

  
\_\_\_\_\_  
William Bailey

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